IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 18883 of 2006
Date of decision: November 30, 2006

Kashmira Singh and Ors. .....Petitioners

Versus

State of Punjab and Ors. .....Respondents

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA
HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Mr.S.D.Sharma, Senior advocate with
Mr. Neeraj Sharma, Advocate
for the petitioners

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ASHUTOSH MOHUNTA, J (Oral)

The prayer of the petitioners is that a writ in the nature of mandamus be issued for quashing the Notification dated 22.09.2006 (Annexure P-2), by which the agricultural bachat land measuring approximately 100 acres, situated in the revenue estate of Village Nasrali, Tehsil Khanna, District Ludhiana, has been identified by the State Government to be handed over to the Reliance Industries Ltd.

Learned Senior counsel appearing on behalf of the petitioners contends that as the land in dispute measuring approximately 100 acres, has been held to be the bachat land in the village, therefore, before handing over the same to the Reliance Industries Ltd., the compensation ought to be determined and paid to the petitioners, who are the proprietors in the village.

The land in the instant case has not yet been acquired or handed

over to the Reliance Industries Ltd., therefore, the prayer of the petitioners, at this stage, is pre-mature. Moreover, although the petitioners, who are the proprietors in the Village Nasrali, have been held to be the owners of the bachat land, vide order dated 27.01.2005 (Annexure P-1), but the said order has been challenged by the Gram Panchayat before the Commissioner. Thus, even the title with regard to the land in dispute is under pending consideration before the appropriate authority.

In this view of the matter, no relief can be granted to the petitioners till either the land in dispute is acquired/handed over to the Reliance Industries Ltd. or the title with regard to the land in dispute is finally determined.

Dismissed as being pre-mature.

(ASHUTOSH MOHUNTA)
JUDGE

(NIRMAL YADAV)
JUDGE

November 30, 2006
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